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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/816,760	04/02/2004	Koichiro Hirabayashi	YAMAP0925US	1137

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EXAMINER

KAYRISH, MATTHEW

ART UNIT	PAPER NUMBER
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2627

DATE MAILED: 08/03/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No.	Applicant(s)	
	10/816,760	HIRABAYASHI ET AL.	
	Examiner	Art Unit	
	Matthew G. Kayrish	2627	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 02 April 2004.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-3 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-3 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 02 April 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)             | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)    | Paper No(s)/Mail Date. _____  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____   | 6) <input type="checkbox"/> Other: _____                                    |

## DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1 and 3 are rejected under 35 U.S.C. 102(b) as being anticipated by Doutsubo (US Patent Number 5081549).

Regarding claim 1, Doutsubo discloses:

A magnetic recording and reproduction apparatus for recording information to, and/or reproducing information from, a magnetic tape accommodated in a cassette, the magnetic recording and reproduction apparatus comprising:

A main chassis (figure 1, item 1) on which a rotatable head cylinder (figure 1, item 11) for recording information to, and/or reproducing information from (column 1, lines 52-55), the magnetic tape (column 1, lines 52-55) is mounted;

A sub chassis (figure 2, item 2) movable relative to the main chassis (column 6, lines 1-9);

A cassette holder (figure 2, item 20) for holding the cassette (column 5, lines 45-47) and mounting the cassette on the sub chassis (column 5, lines 48-51);

A cassette holder elevating section (figure 2, item 120) for moving the cassette holder up and down with respect to the sub chassis (column 5, lines 38-40);

A holder engaging section provided on the main chassis (figure 2, item 122); and

A main chassis engaging section provided on the cassette holder (figure 2, item 121);

Wherein:

The sub chassis is movable relative to the main chassis from a cassette mountable position at which the cassette is mountable on the sub chassis (position of figure 3, column 5, lines 48-51) to a tape pull-out position at which the magnetic tape has been pulled out from the cassette and wound around the rotatable head cylinder (position of figure 4, column 16, lines 7 & 8); and

The holder engaging section and the main chassis engaging section are engaged with each other at the tape pull-out position (figure 4, items 121 & 122 are engaged).

Regarding claim 3, Doutsubo discloses:

A magnetic recording and reproduction apparatus according to claim 1, further comprising a holder locking section (figure 34, item 128 & 142) for engaging the cassette holder and the sub chassis (figure 32, item 128 & 147 are engaged, and the holder is positioned on the sub chassis), wherein the holder locking section is provided on a side of the magnetic recording and reproduction apparatus which is opposite (column 14, lines 7-12), with respect to the center of the magnetic recording and reproduction apparatus, to the side where the holder engaging section and the main chassis engaging section are provided (column 15, lines 65-68).

*Claim Rejections - 35 USC § 103*

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Doutsubo, in view of Fujimori et al (Japanese Patent Number JP 63214956 A).

Regarding claim 2, Doutsubo discloses:

A magnetic recording and reproduction apparatus according to claim 1, further comprising:

A guide section (figure 2, items 15 & 25 are positioned in this section) for including a projection guide (figure 18, items 14 & 15) section provided on the main chassis (figure 18, items 14 & 15 are on main chassis) and a guide groove provided in the sub chassis (figure 19, items 24 & 25), the guide section guiding the sub chassis relative to the main chassis by the projection guide section (figure 3, item 15) and the guide groove (figure 3, item 25) being engaged with each other (figure 3, item 15 & item 25 are engaged); and

Doutsubo fails to disclose:

A magnetic recording and reproduction apparatus comprising:

A holder engaging section and a main chassis engaging section are engaged with each other in the state where at least one of the main chassis engaging section and the holder engaging section is inserted through the guide groove.

Fujimori et al disclose:

A magnetic recording and reproduction apparatus comprising:

A holder engaging section (figure 6, item 87) and a main chassis engaging section (figure 5, item 79) are engaged with each other (figure 7, items 79 & 87 are engaged) in the state where at least one of the main chassis engaging section and the holder engaging section is inserted through a guide groove ((figure 5, item 78 points to the guide groove) & (figure 6, item 79 is inserted through the guide groove)).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide a guide groove in the sub chassis, of Doutsubo, to be engaged by a hook for locking the cassette holder to the main chassis, as taught by Fujimori et al, because this will provide the stability needed to hold the cassette holder level for an accurate recording and playback. The engaging mechanism will serve as a support in the center of the cassette holder, thereby, holding the cassette holder from the middle portion. This will help to keep the cassette level while recording and playing, despite being biased to elevate upward by the spring force.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Matthew G. Kayrish whose telephone number is 571-272-4220. The examiner can normally be reached on 8am - 5pm M-F.

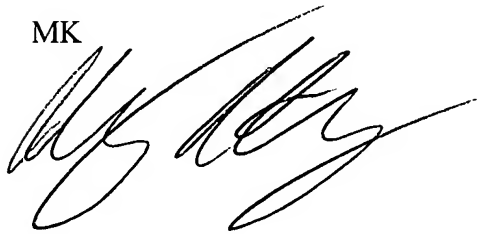
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrea Wellington can be reached on 571-272-4483. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Matthew G. Kayrish

7/5/2006

MK



7/5/2006

  
ANDREA WELLINGTON  
SUPERVISORY PATENT EXAMINER